

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES BUFFORD,

07-CV-952-ST

Petitioner,

ORDER

v.

JEAN HILL,

Respondent.

**STEVEN T. WAX**

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**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#37) on May 5, 2009, in which she recommends the Court deny Petitioner James Bufford's Petition for Writ of Habeas Corpus (#2) and dismiss this matter with prejudice. Petitioner filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C.

§ 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988).

In his Objections, Petitioner reiterates the arguments he made in support of his Petition for Writ of Habeas Corpus. This Court has carefully considered Petitioner's Objections and concludes the Magistrate Judge thoroughly addressed Petitioner's arguments in her Findings and Recommendation. The Court,

therefore, concludes Petitioner's Objections do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#37). Accordingly, the Court **DENIES** the Petition for Writ of Habeas Corpus (#2) and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 1<sup>st</sup> day of July, 2009.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge